

### **REMARKS/ARGUMENTS**

Applicants wish to thank the Examiner for the courtesies extended in conducting the Interview of May 9<sup>th</sup>. The below arguments are consistent with the discussions of the Interview.

In the Office Action, the Examiner has rejected the only pending independent claim in the application, i.e., claim 1, based on Yoshisue in view of kido. Whereas the Examiner acknowledges that Yoshisue does not specifically disclose that the repetition lever is formed by a molded article of a thermoplastic resin containing long fibers for reinforcement with the molded article being molded by a long fiber process, the Examiner argues that kido teaches a molded article with the claimed features and that it would have been obvious to utilize kido's teaching for the repetition lever. The Examiner argues that the mere application of a known technique to a specific instance would have been obvious. Applicants respectfully traverse the Examiner's rejection.

As discussed in the Interview, Yoshisue relates to an action of a piano. The action has a plurality of action components connected to each other. At least one of the action components is made of a carbon fiber sheet which is at least partially bent in a U-sectioned shape, thereby to reconcile light weight and high rigidity of the action component. Abstract and para. 0014. The action components involve a wippen 4, a repetition lever 5 and a jack 6. Paras. 0023, 0025, and 0027 and Figs. 2, 4, and 5.

As further discussed, Yoshisue specifically discloses that a repetition lever is made of a carbon fiber sheet which is at least partially bent in a U-sectioned shape to reconcile light weight and high rigidity thereof. Applicants respectfully submit that this specific disclosure in Yoshisue is contrary to the Examiner's argument in the Office Action where the Examiner argues that Yoshisue teaches a repetition lever 5 formed by a molded article of a synthetic resin containing

carbon fibers for reinforcement. The Examiner cites to the Abstract and paras. 0011, 0014, and 0019. However, Applicants respectfully submit that Yoshisue does not disclose such features in a repetition lever. As mentioned above, Yoshisue's repetition lever 5 is made of a carbon fiber sheet, and is not a synthetic resin containing carbon fibers as argued by the Examiner. The paragraph 0019 cited by the Examiner is directed to a connection member 14a (Fig. 7) which is screwed into a threaded portion of a hammer shank and supported by a hammer shank flange (paras. 0015 and 0038). Applicants respectfully submit that any disclosure in Yoshisue related to this connection member 14a is irrelevant to a repetition lever, and therefore, the Examiner's argument that Yoshisue discloses a repetition lever formed of a synthetic resin containing carbon fibers for reinforcement is not accurate. It is only the connection member 14a that is discussed at the Examiner's cite.

Furthermore, regarding the Examiner's argument that Yoshisue's repetition lever is formed by a molded article, Applicants respectfully submit that the lever in Yoshisue is not a molded article, but rather, is a bent article of a carbon fiber sheet.

Therefore, Applicants respectfully submit that Yoshisue's repetition lever does not disclose a molded article and also does not disclose a synthetic resin containing carbon fibers, as argued by the Examiner. Rather, the lever is a carbon fiber sheet that is bent. Therefore, Applicants respectfully submit that the basis of the Examiner's argument to substitute kido's molded article of a thermoplastic resin containing long fibers for reinforcement for Yoshisue's argued molded article of a synthetic resin containing carbon fibers for reinforcement cannot be proper because Yoshisue's repetition lever is not molded, it is not formed of synthetic resin, and it does not contain carbon fibers for reinforcement. It is bent and is formed of a carbon fiber sheet. Therefore, for at

least these reasons, Applicants respectfully submit that independent claim 1 is allowable.

Further, Applicants respectfully submit that even if kido discloses what the Examiner argues, that there would be no motivation to modify Yoshisue's repetition lever based on kido. As discussed above, the object of Yoshisue's repetition lever is to reconcile the trade-offs between light weight and high rigidity. This specific objective is attained by the disclosed features that the action component is made of a carbon fiber sheet which is bent in a U-sectioned shape, as discussed above. Applicants respectfully submit that modifying the carbon fiber sheet of Yoshisue, with its bent U-sectioned shape, by kido to be a molded article with thermoplastic resin and carbon fibers would render Yoshisue's action lever unsatisfactory for its intended purpose and change the principle of operation of Yoshisue, both of which are impermissible. See M.P.E.P. §§ 2143.01 V. and VI. Such a modified repetition lever would not have the specifically disclosed structure to achieve the specific objective of Yoshisue of light weight and high rigidity. Especially since a molded article of thermoplastic resin containing carbon fiber is heavier than a bent article of carbon fiber sheet. Therefore, Applicants respectfully submit that claim 1 is allowable for at least this additional reason.

Further as discussed in the Interview, Applicants respectfully submit that claim 1 is not so broad as to encompass any type of lever of a piano. Applicants specifically claim a "repetition" lever. Applicants respectfully submit that Applicants' claimed repetition lever is different from Yoshisue's specifically disclosed "repetition lever 5" and is not so broad as to encompass Yoshisue's connection member 14a.

Further, Applicants respectfully appreciate the Examiner's suggestion for layout of the specification, however, Applicants respectfully submit that the specification clearly is organized by sections, i.e., "Field of the Invention",

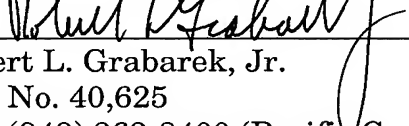
"Background Art", "Brief Description of the Drawings", "Best Mode for Carrying Out the Invention", etc. Therefore, Applicants respectfully submit that the specification meets any requirements for format. Further, M.P.E.P. ¶ 608.01(a) provides that the order of arrangement is only preferable, not required, and that this paragraph is only intended primarily for use in *pro se* applications to give guidance to those applicants that may need a suggested format. Therefore, Applicants respectfully request that the Examiner withdraw his objection to the specification.

Applicants respectfully submit that the application is now in condition for allowance with claims 1-5 being allowable. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

As provided for above, this paper includes a Petition for an Extension of Time sufficient to effect a timely response. Please charge any deficiency in fees, or credit any overpayment of fees, to Deposit Account No. 05-1323 (Docket No. 056272.57598US).

Respectfully submitted,  
CROWELL & MORING LLP

Dated: May 12, 2008

By   
Robert L. Grabarek, Jr.  
Reg. No. 40,625  
Tel.: (949) 263-8400 (Pacific Coast)

Intellectual Property Group  
P.O. Box 14300  
Washington, D.C. 20044-4300